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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,025	09/11/2003	Kia Silverbrook	BAL62US	4226

24011 7590 04/22/2005

SILVERBROOK RESEARCH PTY LTD  
393 DARLING STREET  
BALMAIN, 2041  
AUSTRALIA

EXAMINER
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GIBBS, HEATHER D

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 04/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/659,025	<b>Applicant(s)</b> SILVERBROOK ET AL.	
	<b>Examiner</b> Heather D Gibbs	<b>Art Unit</b> 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>09/11/03</u> . | 6) <input type="checkbox"/> Other: _____  |

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DETAILED ACTION

*Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2,6-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Schaeffer *et al* (US 6,731,952).

Regarding claim 1, Schaeffer teaches a handheld mobile image-sensing device (abstract) that comprises: a support structure 48; an image sensor 124 positioned on the support structure for sensing an image; a display 56 positioned on the support structure and operatively connected to the image sensor for displaying the image sensed by the image sensor; a printing mechanism 342,344,346 that is positioned on the support structure and operatively connected to the image sensor to print the image sensed by the image sensor (Col 6 Lines 51-Col 7 Line 2); and a remote transmission arrangement positioned on the support structure and operatively connected to the image sensor to transmit data representing the image (Col 4 Lines 23-38).

Regarding claim 2, Schaeffer discloses in which the image sensor is in the form of a camera device capable of storing images on demand (Col 3 Lines 59-Col 4 Line 8).

Considering claim 6, Schaeffer teaches in which the remote transmission arrangement is in the form of a mobile telephone system (Fig 1).

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Regarding claim 7, Schaeffer discloses in which the display is a color, LCD display (Col 2 Line 66-Col 3 Line 5).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schaeffer *et al* (US 6,731,952) in view of Silverbrook *et al* (US 6,628,430).

Schaeffer discloses the handheld mobile phone device that comprises a support structure 48; an image sensor 124 positioned on the support structure for sensing an image; a display 56 positioned on the support structure and operatively connected to the image sensor for displaying the image sensed by the image sensor; a printing mechanism 342,344,346 that is positioned on the support structure and operatively connected to the image sensor to print the image sensed by the image sensor (Col 6 Lines 51-Col 7 Line 2); and a remote transmission arrangement positioned on the support structure and operatively connected to the image sensor to transmit data representing the image (Col 4 Lines 23-38).

Schaeffer does not disclose expressly in which the printing mechanism includes a pagewidth printer and processing circuitry to control operation of the printer; in which the printer includes a pagewidth printhead and an ink distribution unit that is positioned on the printhead to supply ink to the printhead which includes a print media feed mechanism for

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feeding print media relative to the printhead so that a printing operation can be carried out on the print media.

Silverbrook discloses a handheld mobile phone device that comprises a support structure; an image sensor positioned on the support structure for sensing an image; a display positioned on the support structure and operatively connected to the image sensor for displaying the image sensed by the image sensor; a printing mechanism positioned on the support structure and operatively connected to the image sensor to print the image sensed by the image sensor; a capping mechanism operable to selectively cap a printhead of the printing mechanism when the printing mechanism is not printing; and a remote transmission arrangement positioned on the support structure and operatively connected to the image sensor to transmit data representing the image in which the printing mechanism includes a pagewidth printer and processing circuitry to control operation of the printer; in which the printer includes a pagewidth printhead and an ink distribution unit that is positioned on the printhead to supply ink to the printhead which includes a print media feed mechanism for feeding print media relative to the printhead so that a printing operation can be carried out on the print media (Col 3 Line 58-Col 4 Line 29).

Schaeffer & Silverbrook are combinable because they are from the same field of endeavor of handheld mobile phone device.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the phone device of Silverbrook with the mobile system of Schaeffer.

The suggestion/motivation for doing so would have been both devices utilize a mobile phone system for communicating with a receiving unit, as taught by Schaeffer (abstract).

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Therefore, it would have been obvious to combine Silverbrook *et al* with Schaeffer *et al* to obtain the invention as specified in claims 3-5.

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather D Gibbs whose telephone number is 571-272-7404. The examiner can normally be reached on M-Thu 8AM-6PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

hdg



Heather D Gibbs  
Examiner  
Art Unit 2622

  
EDWARD COLES  
SUPERVISOR  
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